

District Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MINAKSHI NOORI¹

Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

No. 2:23-cv-1942-RSM

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for: January 18, 2024

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until June 13, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services (“USCIS”) to schedule an interview and adjudicate her asylum application. Defendants’ response to the Complaint is currently due on February 26, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until June 13, 2024.

¹ The parties submit that Plaintiff’s name was misspelled on the Complaint. Minakshi Noori is the correct spelling.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control
3 the disposition of the causes on its docket with economy of time and effort for itself, for counsel,
4 and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

5 With additional time, this case may be resolved without the need of further judicial
6 intervention. USCIS has scheduled Plaintiff’s asylum interview for February 14, 2024. USCIS
7 agrees to diligently work towards completing the adjudication within 120 days of the interview,
8 absent unforeseen or exceptional circumstances that would require additional time for adjudication.
9 If the adjudication is not completed within that time, USCIS will provide a status report to the Court.
10 Plaintiff will submit all supplemental documents and evidence, if any, to USCIS seven to ten days
11 prior to the interview date. Plaintiff recognizes that failure to submit documents prior to the
12 interview may require the interview to be rescheduled and the adjudication delayed. If needed,
13 Plaintiff will bring an interpreter to the interview, otherwise the interview will need to be rescheduled
14 and the adjudication delayed. Once the application is adjudicated, Plaintiff will dismiss the case
15 with each party to bear their own litigation costs and attorneys’ fees. Accordingly, the parties request
16 this abeyance to allow USCIS to conduct Plaintiff’s asylum interview and then process her asylum
17 application.

18 As additional time is necessary for this to occur, the parties request that the Court hold the
19 case in abeyance until June 13, 2024. The parties will submit a status update on or before April 15,
20 2024 (60 days post-interview).

21 //

22 //

23 //

1 Dated: January 18, 2024

Respectfully submitted,

2 TESSA M. GORMAN
United States Attorney

3 s/Michelle R. Lambert
4 MICHELLE R. LAMBERT, NYS #4666657
Assistant United States Attorney
5 United States Attorney's Office
1201 Pacific Avenue, Suite 700
6 Tacoma, Washington 98402
Phone: 253-428-3824
7 Email: michelle.lambert@usdoj.gov
8 *Attorneys for Defendants*

9 *I certify that this memorandum contains 398 words, in
compliance with the Local Civil Rules.*

10 s/ Jane Marie O'Sullivan
JANE MARIE O'SULLIVAN WSBA#34486
11 O'Sullivan Law Office
2417 Pacific Avenue SE, 2nd Floor
12 Olympia, Washington 98501
Phone: 206-340-9980
13 Email: jane@osullivanlawoffice.com
14 *Attorney for Plaintiff*

ORDER

The case is held in abeyance until June 13, 2024. The parties shall submit a status update on or before April 15, 2024. It is so **ORDERED**.

DATED this 22nd day of January, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE